

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND**

JACK BOOTHE, Individually and on Behalf  
of All Others Similarly Situated,

Plaintiff,

v.

NORTHSTAR REALTY FINANCE CORP.,  
INC., *et al.*,

Defendants.

Case No.: 1:16-cv-03742-JKB

**MOTION TO INTERVENE AND FOR RELIEF FROM  
FINAL ORDER AND JUDGMENT**

In accordance with Rules 24 and 60 of the Federal Rules of Civil Procedure, Proposed Intervenor Michael Bumgardner, William Pennington, John Wood, and Marjorie Wood ("Intervenor") hereby move this Court for an order allowing intervention in this action and to vacate the Court's Order and Final Judgment dated November 29, 2017 (Doc. No. 30) (the "Order"). In the alternative, Intervenor ask the Court to amend the release in the Order with the following language: "Notwithstanding anything in this Order shall be construed as a release of the claims at issue in *Bumgardner v. Colony Capital, Inc.*, No. BC712865 (Cal. Sup. Ct.-Los Angeles Cty); *Wood v. Colony Capital, Inc.*, No. BC714159 (Cal. Sup. Ct.-Los Angeles Cty) or *Weitzul v. Colony Capital, Inc.*, No. BC714169 (Cal. Sup. Ct.-Los Angeles Cty)."

This Motion is based on this Motion, the supporting Memorandum of Law, the Declaration of Patrick C. Smith in support filed herewith, and the [Proposed] Order Granting Motion to Intervene and for Relief from Final Order and Judgment, filed herewith, all pleadings and papers on file in this action, and any additional materials or arguments as may be considered or required.

DATED: November 13, 2018

Respectfully submitted,

DEHAY & ELLISTON

/s/ Patrick C. Smith

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*Counsel for Intervenors*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 13, 2018, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

/s/ Patrick C. Smith  
PATRICK SMITH

*Counsel for Intervenors*